

## **REMARKS**

### **A. Outstanding Action**

Claims 1-3, 6-12 were objected to on the basis of informalities as set forth in the office action.

Claims 1-3, 10-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 4, 5, 6, 10, 11, 12 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 4, 6, 7, 1, 2, 3, respectively, of U.S. Patent No. 6,054,375.

Claims 1-3 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 5,837,607.

Claims 7-9 were indicated to be allowable if rewritten or amended to overcome the objection to claim 7.

### **B. Status Of Claims**

Claims 1-12 were pending in the application prior to the instant Amendment and are now pending.

### **C. Amendments To The Cross Reference to Related Applications**

The Cross Reference to Related Applications has been amended in accordance with the enclosed marked up copy.

D. Drawings

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) on the basis that the drawing do not include the reference sign 26 in Fig. 1 mentioned in the description on page 8, lines 2-5).

The drawings have been corrected to be consistent with the specification. A copy of the drawings which have been corrected in red ink are being submitted herewith. Formal drawings are being submitted herewith.

E. Pending Claim

Claims 1-3, 6-12 were objected to on the basis of informalities as set forth in the office action. Claims 1-3, 6-12 have been amended to overcome the objection set forth in the office action.

Claims 1-3, 10-12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 10-12 have been amended to overcome the rejection under 35 U.S.C. 112.

Claims 4, 5, 6, 10, 11, 12 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 4, 6, 7, 1, 2, 3, respectively, of U.S. Patent No. 6,054,375. Claims 1-3 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3 of U.S. Patent No. 5,837,607.

Applicant is enclosing under separate cover a terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the above rejections based on a nonstatutory double patenting.

Claims 7-9 were indicated to be allowable if rewritten or amended to overcome the objection to claim 7. Claim 7 has been amended to overcome the objection set forth in the office action.

The prior art made of record but not relied upon has been reviewed and appears to be less

pertinent to the claimed subject matter than the references cited by the Examiner. The remaining references do not teach nor suggest the structure set forth in the proposed claim

F. Precautionary Request for an Extension of Time

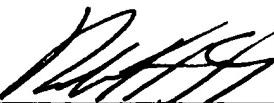
In the event the present filing is not timely filed, applicant request an Extension of Time for an appropriate period of time. Please charge Deposit Account No. 06-2120 for the fees for any Extension of Time.

G. Additional Fees

Please charge Deposit Account No. 06-2120 for the fees for any additional claims, an Extension of Time, Citation of Prior Art, Petitions, Terminal Disclaimers or any other fee arising out of this correspondence.

Applicant verily believes that all claims are now in condition for allowance and favorable action is respectfully requested. The undersigned attorney of record cordially invites any telephonic communications from the examiner that may assist the examiner in the examination and to expedite the allowance and issuance of Letters Patent on the subject invention.

Respectfully submitted,  
FRIJOUF, RUST & PYLE, P.A.



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Deposit Account

Please charge our account any deficiency in fees or credit any over payment arising out of this correspondence to Deposit Account No. 06-2120.

Certificate of Mailing

It is hereby certified that the foregoing correspondence and fee is being placed in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 and mailed by first class mail, postage prepaid, this 3<sup>rd</sup> day of January, 2005.

A handwritten signature is written over a horizontal line. The signature consists of several fluid, overlapping strokes in black ink, appearing to be a name, though it is not clearly legible.

Cross Reference to Related Applications

This application is a division of application Serial No. 09/921,545 filed 08/03/2001 now U.S. Patent 6,271,576. Application Serial No. 09/921,545 is a continuation-in-part of application Serial No. 09/088,044 filed 06/01/1998. Application Serial No. 09/088,044 is a continuation-in-part of application Serial No. 08/759,235 filed 12/05/1996, now United States Patent 5,837,607. All subject matter set forth in application 09/921,545 filed 08/03/2001, application 09/088,044 filed 06/01/1998, and application 08/759,235 filed 12/05/1996, now United States Patent 5,837,607 is hereby incorporated by reference into the present application as if fully set forth herein.